

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James G. Corriveau,

Plaintiff,

v.

Maple Bank,

Defendant.

Civil No. 10-594 (RHK/JJG)

**REPORT AND
RECOMMENDATION**

Plaintiff initiated this action on March 3, 2010 and a summons was issued. The summons was not returned. Through an order dated July 13, 2010 (Doc. No. 2), this Court required Plaintiff to file proof of service of the Complaint. The order also required Plaintiff to advise the undersigned in writing of good cause for failure to comply within twenty (20) days of the date of the order, and advised Plaintiff that failure to comply with the order could result in dismissal of the action for failure to prosecute. That deadline (August 2, 2010) passed without action.

Being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED THAT** this matter be **DISMISSED WITHOUT PREJUDICE**.

Dated: September 3, 2010

s/ Jeanne J. Graham

JEANNE J. GRAHAM

United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this report and recommendation by filing and serving specific, written objections by **September 22, 2010**. A party may respond to the objections within fourteen days after service thereof. Any objections or responses filed under this rule shall not exceed 3,500 words. The district court judge shall then make a de novo determination of those portions to which objection is made. Failure to comply with this procedure shall forfeit review in the United States Court of Appeals for the Eighth Circuit.